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Guthrie, William Dameron

Joseph Hodges Choate

[New York]

[1917]

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Box 46 Guthrie, William Dameron, 1859-1935.
Joseph Hodges Choate; ‹remarks made› at a meeting of the Union league club of the city of New York, held in memory of Mr. Choate on Thursday evening, May 24, 1917 ... ‹1917›
10 p. 23 cm.

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Gift of the President

MAY 29 1917

Joseph Hodges Choate

At a meeting of The Union League Club of the City of New York held in memory of Mr. Choate on Thursday evening, May 24, 1917, the following remarks were made by Mr. Guthrie:

Mr. President, Mr. Depew and Fellow-members of The Union League Club:

It is only a week since we joined reverently and sadly in the nation's homage to the earthly remains of the most brilliant and the most venerated member of this club. Our bereavement is still too fresh and overwhelming and too many memories crowd upon our minds to permit us to compose our thoughts and find words fitting to voice what we all deeply feel or to express our appreciation of a truly great personality, who was the noblest and sweetest character of our day and whom we are grateful to have known and loved.

Mr. Choate was so versatile and his interests were so numerous that the many groups of friends and associates with whom he cooperated naturally feel that to each group belongs as its own special heritage some particular phase of his glorious and beneficent career.

He was the ideal and the most brilliant ornament of the American Bar, and his splendid talents and unblemished honor were its pride and inspiration. To the Bar, therefore, should be left the memorial of his services and fame as an advocate and jurist. The due appreciation

of his broad and varied culture, of his taste in literature, of his love of nature, of his interest in science and art, rests peculiarly with the universities, museums and academies to whose work he devoted so much time and thought and to which he was always ready to give his best. The tribute to his philanthropy and his manifold services and sacrifices in the field of charity should be entrusted to those who witnessed his innumerable acts of generosity and actively shared his profound sympathy for the unfortunate. The many who had the good fortune—I should say the priceless privilege and blessing—of enjoying his friendship cannot yet attempt to describe the charm of his pure and noble character and the affectionate devotion which he inspired.

But the aspect of Mr. Choate's life and service which we of the Union League Club may well claim as our own sphere is his militant patriotism. He profoundly believed in the patriotic mission of this club, and for half a century it was very close to his heart. He passionately loved this country of ours, its ideals, its institutions, its liberty regulated by just restraints, its equality before the law, its guaranties of the fundamental rights of free men. To him the Constitution was our Ark of the Covenant. He was never more ardent or more eloquent than when defending the Constitution and contending for the constitutional rights of the in-

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dividual. Often have those who were privileged to discuss with him the subject of patriotism been thrilled and uplifted by his supreme confidence that the National Constitution would endure and that the Union and government established by it "shall not perish from the earth."

Throughout his career Mr. Choate believed that the primary duty of the profession is to the State, and that the greatest and grandest service that an advocate can ever be called upon to perform is in relation to questions of public or constitutional law, as an expert instrumentality especially charged with the duty of conserving and promoting the well-being of our governments, national and local. The interests of the individual client in any particular litigation involving a question of public law were to him secondary to the interests of the commonwealth. In this respect, he adopted in his professional conduct the principle of the Romans, that the constant and first duty of the advocate is always to the Republic. As often quoted by Mr. Choate, "pro clientibus saepe; pro lege, pro republica semper."

Any attempt to chronicle the public movements in which Mr. Choate engaged and to which he devoted so much of his best thought and effort would require a review of the history of our country since 1856. He came to New York in 1855, at the age of twenty-three,

and the next year he was prominent in support of Fremont as the first Republican candidate for the office of President of the United States. From 1856, practically every political campaign saw him in the foreground advocating the sound and patriotic principles of the Republican Party. Indeed, with his convictions, he could not have been other than a Republican. His conspicuous services in 1871 and 1872 as one of the fearless and eloquent champions of the Committee of Seventy in its campaign against the Tweed Ring, led to his election as President of this club in 1873, when he was only forty-one years of age. And year after year he was always, as you will readily recall, among the leaders in the patriotic activities of this club.

Three outstanding public services rendered by Mr. Choate call for particular mention. The first public office he held was that of President of the Constitutional Convention of the State of New York in 1894, when he guided the deliberations of that body in framing the Constitution by virtue of which we are still governed. His second public office was as Ambassador to the Court of St. James, where he did more than probably any of his predecessors in that important post to bring the two peoples closer together, to inspire at once respect and admiration for American ideals and institutions and American culture, and to show how fine an advocate,

scholar and gentleman the new world could produce. A third conspicuously valuable and fruitful public service was rendered by Mr. Choate at the Second Hague Conference, where he placed the United States in the position of leadership in the advocacy of sound principles of international relations.

Moreover, Mr. Choate during his whole professional career constantly rendered inestimable and enduring public service in the argument of cases involving important and far-reaching questions of public and constitutional law. It was in such arguments that he was seen at his best, even in comparison with his superlative talents before a jury. He did not enjoy, it is true, the great and exceptional forensic opportunities that fell to the lot of his illustrious partner, Mr. Evarts, who defended a President of the United States before the High Court of Impeachment, represented the nation before the Geneva Arbitration Tribunal, and succeeded in establishing the title of Mr. Hayes to the Presidency before the Electoral Commission. Such opportunities for service and eloquence, however, have fallen to the lot of few advocates. Nevertheless, any one who will examine the many cases involving constitutional law which were argued by Mr. Choate will be amazed to find how varied and extensive were his services in this particular branch of our jurisprudence. He profoundly

believed and constantly urged that the defense of constitutional government and of the rights of the individual is the special and patriotic duty of the profession, and that the American constitutional system would not long endure or the fundamental rights of the individual long continue to be of practical value if the Bar of the country should become lukewarm in the performance of the duty of upholding those rights and maintaining the essential principles of civil liberty and political justice.

The greatest public lesson taught by Mr. Choate's life and the greatest inspiration from his example will undoubtedly be found in his deep-rooted patriotism. Indeed, the larger significance of this impressive gathering to-night lies not merely in its manifestation of admiration, friendship and love for Mr. Choate, but rather in the evidence it affords of our deep conviction that he more than any other on our rolls personified the disinterested love of country from which sprang this great patriotic organization, the absolute and unqualified loyalty to the national government to which its charter expressly dedicates it, and the unalterable and uncompromising determination to uphold and maintain American constitutional government to which it is committed. Mr. Choate was the very incarnation of these convictions and these purposes.

To a highly cultivated, a reflecting, an imaginative mind, the writing of the biography of Mr. Choate should be a most inviting and fascinating task. It would carry the mind backwards eighty-five years to the Salem of 1832, and the close of the first administration of Andrew Jackson, when Webster and Clay and Calhoun were in their prime, and through the most eventful and fateful years of our national history. It would likewise carry the mind backwards to the England of William IV, to the France of Louis Philippe, to the Prussia of Frederick William III. The biographer would, however, have to record that the last three years were in Mr. Choate's eyes the most important and interesting of his life, grandly demonstrating that to him age was "full of opportunity no less than youth." From the beginning of the awful war which now devastates Europe and which shattered so many of his hopes, he realized before any one else that the Allies were defending our ideals of democracy, and in truth fighting, suffering, and sacrificing for us. Day after day, night after night, he strove with spiritual fervor and eloquence undimmed by age to awaken his countrymen and make them recognize their own danger and their moral obligations to humanity.

The last six weeks of his life were replete with happiness and contentment. The glorious end, indeed,

crowned the work of a lifetime of patriotic service. President Wilson's lofty and immortal message of April 2nd filled him with gratitude and joy, and he declared that he had never before felt so proud and happy, for the nation had been placed upon the highest plane it had ever attained and at last he saw the realization of his dream of the unity and solidarity of the Anglo-Saxon race in the defense of democracy and humanity and of a common civilization. The momentous events that followed the declaration of war by Congress were an immense comfort to him. He was intensely proud of the disinterested, altruistic pledge by our President of everything that we are and that we have in defense of the principles that gave our nation birth. He was intensely proud, exultingly proud, when America handed hundreds of millions of dollars to Great Britain and France to relieve their wants and distress. He was entitled to be proud: for, in truth, Mr. Choate's spirit was much of the inspiration of the thrilling events in American history which occurred during this period. And finally his last week on earth was indescribably happy, for he was able to extend to the English and French Commissions the greetings of his home city and the cordial and enthusiastic hospitality of the great and loyal community which he had served so long and so devotedly and which he honored so highly!

Mr. President, if in coming years we are asked to point the moral of Mr. Choate's life, to declare in what particular quality he was preeminent, what was the richest of the legacies he left us, what made him the noble and lofty figure and extraordinary personality that he was, even more than his perfect courage,—in a word, what is to us the highest glory of such a life, shall we not answer that it was his *character?* The moral value to this community and to the whole nation of such a character is verily beyond all computation.

In October, 1898, I had the honor to attend, as Mr. Choate's guest, the unveiling of the statue of Rufus Choate in the Court House at Boston. While Mr. Choate was delivering his memorial oration, I felt and ever since have believed that in describing the high principles and moral standards that had animated and guided the life of his illustrious uncle, he was proclaiming those which dominated and controlled his own life. May I repeat to you what he then said of Rufus Choate?

"And first, and far above his splendid talents and his triumphant eloquence, I would place the character of the man—pure, honest, delivered absolutely from all the temptations of sordid and mercenary things, aspiring daily to what was higher and better, loathing all that was vulgar and of low repute, simple as a child, and

tender and sympathetic as a woman. Emerson most truly says that character is far above intellect, and this man's character surpassed even his exalted intellect, and, controlling all his great endowments, made the consummate beauty of his life." And Mr. Choate then added—"The first requisite of all true renown in our noble profession—renown not for a day or a life only, but for generations—is Character."

Is it not true that these words apply even more truly to the great and noble man for whom we are mourning to-night, and that they might well be written as his epitaph?

Two evenings before the end, Mr. Choate, having invited to his house a few friends to meet Mr. Balfour, after dinner broached to some of his guests the subject of the immortality of the soul. Those who had the privilege of hearing that discussion must always regard the event as memorable and far more serious and significant than they then imagined. Perhaps his lofty soul had a solemn premonition of the coming summons to enjoy the supreme reward of his staunch faith in the God of his fathers, and that he then felt, contentedly and serenely, that he would soon

> ". . . sustained and soothed
> By an unfaltering trust, approach [his] grave
> Like one who wraps the drapery of his couch
> About him, and lies down to pleasant dreams."

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